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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of:

David L. Rimm et al.

Application No.: 10/062,308

Filed: February 1, 2002

For: *Systems and Methods For Automated Analysis of Cells and Tissues*

Examiner: To Be Assigned

Art Unit: 1645

Attorney Document No.: YUA-001.01

DEC 27 2002

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231 on: December 19, 2002.

Kristen Willett

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BASED ON INTERNATIONAL SEARCH REPORT

Commissioner for Patents
Washington, DC 20231

Sir:

In compliance with the requirements of 37 C.F.R. 1.56, submitted herewith on Form PTO-1449 is a list of publications identified in the International Search Report issued in the counterpart PCT application as well as other publications that have come to our attention. A copy of each publication is also being submitted herewith. Applicants respectfully request that the Examiner consider the listed publication and indicate they were considered by making appropriate notations on the attached Form 1449.

This submission does not represent that a search has been made or that no better art exists. Nor does it constitute an admission that the cited documents are material or constitute "prior art." If the Examiner applies the listed documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under

United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the referenced documents be applied against the claims of the present application.

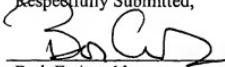
This Supplemental Information Disclosure Statement is being filed within three months of the International Search Report and before the mailing date of the first Office Action on the merits; therefore, no fee is believed to be due in connection with this submission. However, the Commissioner is authorized to charge any deficiencies or credit any overpayment to/from our *Deposit Order Account, No. 06-1448, Reference YUA-001.01.*

Should there be any questions after reviewing this paper, the Examiner is invited to contact the undersigned at (617) 832-1000.

Date: December 19, 2002

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Respectfully Submitted,


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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

PATENT AND TRADEMARK OFFICE: U.S. DEPARTMENT OF COMMERCE